

## 5-O-C: CYBER SCHOOLS

Cyber schools, also known as “100 percent online schools,” provide 100 percent of a pupil’s public instruction through online learning. Administrative Rule 340.11 defines online learning as “a nontraditional method of receiving pupil instruction for courses that are taken through online learning or otherwise on a computer or other technology.” Online learning can take different forms, including scheduled (i.e., pupil must attend a pre-arranged classroom to gain access to the computer-based content), blended (i.e., the teacher uses both traditional classroom and online forums to deliver instruction), and self-scheduled (i.e., pupil learning that does not require a teacher or pupil to be physically present in a classroom).

### A) Requirements for Counting in Membership

The following requirements must be met to count pupils enrolled in a cyber school program for membership purposes:

- 1) The **pupil meets the membership eligibility requirements** pursuant to Section 6(4) or 6(6) of the State School Aid Act (MCL 388.1606).
- 2) The pupil shall be enrolled in the **participating district and attending** on the pupil membership count day or the supplemental count day pursuant to Sections 6(8) and 6a of the State School Aid Act (MCL 388.1606 and MCL 388.1606a). Under Section 6 of the State School Aid Act (MCL 388.1606), a pupil's participation in the cyber school's educational program is considered regular daily attendance and can be considered membership.

One or more of the following must be met on count day to satisfy the attendance requirement:

- Pupil attended a live lesson from the teacher.
  - Pupil logged into a lesson or lesson activity and the login can be documented.
  - The pupil and teacher engaged in a subject-oriented telephone conversation.
  - There is documentation of an e-mail dialogue between the pupil and teacher.
  - There is documentation of activity or work between the learning coach and pupil.
  - An alternate form of attendance as determined and agreed upon by the cyber school and intermediate district auditor was met.
- 3) The pupil must participate in all courses on count day to satisfy the participation requirement. If absent on count day, the pupil must attend and participate in class during the next 10 school days if the absence was unexcused, or during the next 30 calendar days if the absence was excused.
  - 4) The cyber school provided full-time instruction and each pupil had a schedule based upon the school’s criteria for a full-time pupil.

### B) Cyber Schools

Section 551(2)(e) of the Revised School Code (MCL 380.551) defines a cyber school as “a school of excellence established under this part that has been issued a contract to be organized and operated as a cyber school under Section 552(2) [of the Revised School Code (MCL 380.552)] and that provides full-time instruction to pupils through online learning or otherwise on a computer or other technology, which instruction and learning may be remote from a school facility.”

#### 1) Enrollment Requirements

Pursuant to Section 552(2), a cyber school must be available for enrollment to all pupils who are eligible for membership in this state, must offer some or all of grades K-12, and must demonstrate experience in delivering a quality educational program that improves

pupil academic achievement. In addition, Section 552(2) requires the cyber school to offer and provide a computer and subsidized internet access to pupils.

Pursuant to Section 556(7) of the Revised School Code (MCL 380.556), a cyber school authorized by a school district or intermediate school district shall give enrollment priority to pupils who reside in the school district or intermediate school district that is the authorizing body.

## 2) Membership Cap

Section 552(2)(d) limits enrollment in a cyber school to 2,500 pupils in membership for the first school year of operation, 5,000 pupils in membership for the second school year of operation, and not more than 10,000 pupils in membership for the third and subsequent school years of operation. In addition, Section 552(15) sets limits on the number of pupils who can be enrolled in all cyber schools based on total statewide audited membership.

## 3) Instructional Time Requirements

Under Section 553a of the Revised School Code (MCL 380.553a), a cyber school must make educational services available to pupils for a minimum of at least 1,098 hours during a school year and must ensure that each pupil participates in the educational program for 1,098 hours during a school year.

The following calculation verifies that the cyber school's educational services were made available to pupils for a minimum of 1,098 hours during the school year:

$$\begin{aligned}
 & \times [\text{\# of days the teacher is scheduled for instruction per year}] \\
 & \times [\text{\# of hours the teacher is scheduled for instruction per day}] \\
 \hline
 & = [\text{number of hours of educational services made available to pupils per school year}]
 \end{aligned}$$

A cyber school shall provide full-time instruction to pupils through online learning or otherwise on a computer or other technology, and this instruction and learning may occur remote from a school facility. A cyber school is not required to comply with any rule that would require a pupil's physical presence or attendance in a classroom.

A pupil schedule must provide full-time instruction during the school year. The following formula is based on the example of a district that provides six (6) courses as part of its full-time schedule. Cyber schools must adjust this formula to reflect the number of courses required for a full-time pupil schedule in the cyber school.

$$\begin{aligned}
 & + [((\text{min. per lesson for course \#1}) \times \text{days of instruction or lessons per year})/60] \\
 & + [((\text{min. per lesson for course \#2}) \times \text{days of instruction or lessons per year})/60] \\
 & + [((\text{min. per lesson for course \#3}) \times \text{days of instruction or lessons per year})/60] \\
 & + [((\text{min. per lesson or course \#4}) \times \text{days of instruction or lessons per year})/60] \\
 & + [((\text{min. per lesson or course \#5}) \times \text{days of instruction or lessons per year})/60] \\
 & + [((\text{min. per lesson or course \#6}) \times \text{days of instruction or lessons per year})/60] \\
 \hline
 & = \text{number of hours of pupil instruction scheduled per year}
 \end{aligned}$$

#### 4) Documentation Requirements

As provided in Section 1 of the Pupil Accounting Manual, a cyber school must maintain all of the following documentation:

- Enrollment records for each pupil.
- A certified alpha list of enrolled pupils (MSDS).
- Board-approved graduation requirements.
- Board-approved attendance policy, which includes the number of classes required by the district to be considered a full-time pupil.
- A course program or listing of approved courses.
- A class schedule for each pupil that is effective on the count day.
- Pupil attendance and participation records for the count period.
- An absence list starting on count day that includes each day through the 30-day count period and documentation of excused absences.

**Note:** The class schedule must reflect all courses in which a sequential learning pupil will enroll throughout the semester.

#### C) Statutory and Other References

<u>State School Aid Act:</u>	<u>Revised School Code:</u>	<u>Administrative Rule:</u>
MCL 388.1606	MCL 380.551	R 340.11
MCL 388.1606a	MCL 380.552	
MCL 388.1698	MCL 380.553a	
MCL 388.1701	MCL 380.553b	
MCL 388.1766d	MCL 380.556	
	MCL 380.559	
	MCL 380.561	

#### D) Question and Answer

**Q #1** How should the school document interaction between the teacher and pupil for attendance purposes?

**A #1** The teacher must maintain an activity log containing documentation for each pupil to demonstrate attendance. Examples of activity that must be logged include, but are not limited to, login and lesson activity reports, e-mail exchanges between the teacher and pupil, discussion board posts between the teacher and pupil, and messaging transcripts between the teacher and pupil. If the interaction occurred via telephone, a log of the call must indicate the date and time of call, who was contacted, and a summary of the conversation.